UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI SOUTHEASTERN DIVISION

DANNY RAY HART,)	
)	
Petitioner,)	
)	
vs.)	No. 1:10-CV-00043-ERW
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

This matter comes before the Court on Petitioner's Motion to File and Proceed on Appeal In Forma Pauperis [doc. #15].

As set forth in the Judgment entered in this case on June 7, 2011 [doc. #13], Petitioner was not granted a certificate of appealability in this case. Because the Court determined that Petitioner would not be permitted to appeal the denial of his Petition for Writ of Habeas Corpus, his current request to proceed in forma pauperis on appeal will necessarily be denied.

Accordingly,

IT IS HEREBY ORDERED that Petitioner's Motion to File and Proceed on Appeal In Forma Pauperis [doc. #15] is **DENIED**.

Dated this 11th Day of July, 2011.

E. RICHARD WEBBER
SENIOR UNITED STATES DISTRICT JUDGE